

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK**

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BRIAN PORTERA,

05-CV-9985 (KMK) (JCF)

Plaintiff,

ECF Case

-against-

THE CITY OF NEW YORK, a municipal entity, et al.,

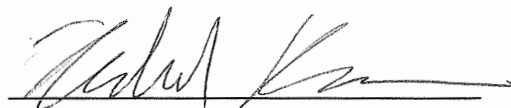
Defendants.  
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**DECLARATION OF RACHEL KLEINMAN IN SUPPORT OF PLAINTIFF'S MOTION  
FOR LEAVE TO FILE FIRST AMENDED COMPLAINT**

RACHEL KLEINMAN, an attorney duly admitted to practice in this Court, pursuant to 28 U.S.C. § 1746, declares as follows:

1. I am counsel for plaintiff and submit this declaration in support of plaintiff's motion for leave to file first amended complaint.
2. The following exhibits, cited in support of plaintiff's motion, are attached hereto:  
**Exhibit A** Proposed First Amended Complaint  
**Exhibit B** Excerpts from August 1, 2007 Deposition of Stephen L. Hammerman  
**Exhibit C** Excerpts from 2007 Deposition of NYPD Officer T. Cai  
**Exhibit D** Defendants' Witness List Revised January 31, 2007 for Dinler v. City of New York and Schiller v. City of New York

Dated: New York, New York  
August 27, 2007

  
Rachel Kleinman (RK 2141)